

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
v.) No. 3:18-CR-144
)
DAVID MILLS)

MEMORANDUM AND ORDER

Now before the court is the defendant's sixth motion to continue trial. [Doc. 38]. Therein, the defense asks for an unspecified continuance of the May 11, 2020 trial date because counsel has been unable to adequately confer with the defendant—who is in pretrial detention—due to the current COVID-19 pandemic. The motion adds that counsel has been unable to speak with potential witnesses for the same reason. The motion states that it is not opposed by the prosecution.

The motion will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The court finds that failing to grant the motion would deny the defense reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The motion requires a delay in the proceedings. Therefore, all the time from the filing of the motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

The defendant's motion to continue [doc. 38] is accordingly **GRANTED**. Trial is **CONTINUED** from May 11, 2020, to **Tuesday, August 18, 2020, at 9:00 a.m.** in Knoxville. The plea cutoff deadline is reset to July 28, 2020.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge